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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/851,504	05/08/2001	Theodore F. Vaida	01-036	2218

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EXAMINER

DUONG, DUC T

ART UNIT PAPER NUMBER

2616

DATE MAILED: 12/08/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

SK

Office Action Summary	Application No.	Applicant(s)	
	09/851,504	VAIDA ET AL.	
	Examiner	Art Unit	
	Duc T. Duong	2616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 September 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7,9-17 and 19-44 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 21-42 is/are allowed.
- 6) ☒ Claim(s) 1-7,9-17,19,20,43 and 44 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1-7, 9-17, and 19-20 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3. Claims 1-7, 9-17, 19, 20, 43, and 44 are rejected under 35 U.S.C. 102(e) as being anticipated by Starr et al (US Patent 6,807,581 B1).

Regarding to claims 1 and 11, Starr discloses a programmable network application specific integrated circuit 700 (fig. 15 col. 20 lines 25-27), comprising a media access controller 722-728 configured to transmit and receive network data (fig. 15 col. 20 lines 61-67 and col. 21 lines 1-7); a programmable logic core 780 (fig. 15 col.

Art Unit: 2616

21 lines 43-47) having a plurality arithmetic logic units 902 (fig. 17C col. 24 lines 6-8) that are dynamically configurable to implement a plurality of application level functions capable of generating meta-data (col. 21 lines 56-59), said programmable logic core 780 configured to interface with said media access controller 722-728 and implement least one said plurality of application level functions (col. 32 lines 18-39).

Regarding to claims 2 and 12, Starr discloses the programmable logic core 780 may be programmed while said least one application level function executing (col. 22 lines 23-26).

Regarding to claims 3, and 13, Starr discloses the programmable network application specific integrated circuit 700 comprising a data interconnect subsystem 756 configured to transmit and receive said network data from said MP-block (fig. 15 col. 21 lines 32-33) and a function master subsystem 740 configured to receive said meta-data from said MP-block and dynamically program said programmable logic units 780 (fig. 15 col. 22 lines 1-15).

Regarding to claims 4 and 14, Starr discloses the data interconnect system 756 is further configured to transmit and receive said network data from a host system 20 (fig. 1 col. 5 lines 9-13).

Regarding to claims 5 and 15, Starr discloses the function master subsystem 740 is configured to transmit said meta-data to a host system 20 and capable of receiving programming instructions from said host system 20 (fig. 1 col. 6 lines 15-39).

Regarding to claims 6 and 16, Starr discloses the function master subsystem 350 is capable of programming said programmable logic core 310 based upon said meta-data (fig. 1 col. 6 lines 40-57).

Regarding to claim 7 and 17, Starr discloses the function master subsystem 740 is capable of programming said programming logic core based upon said network data (fig. 1 col. 6 lines 58-67).

Regarding to claims 9 and 19, Starr discloses at least one application level function is a validation of packet (col. 6 lines 58-63).

Regarding to claims 10 and 20, Starr discloses the programmable logic core 700 includes a management interface 732-738 configured to control and manage said media access controller 722-728 (fig. 15 col. 21 lines 8-19).

Regarding to claim 43, Starr discloses the arithmetic logic units are register transfer level (RTL) configurable (fig. 17C col. 24 lines 8-10).

Regarding to claim 44, Starr discloses at least one application level function is a content based addressing (col. 6 lines 58-63).

Allowable Subject Matter

4. Claims 21-42 are allowed.

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Duc T. Duong whose telephone number is 571-272-3122. The examiner can normally be reached on M-F (9:00 AM-6:00 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Huy D. Vu can be reached on 571-272-3155. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

Application/Control Number: 09/851,504

Page 6

Art Unit: 2616

USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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A handwritten signature in black ink, appearing to read 'Huy D. Vu', with a long horizontal flourish extending to the right.

HUY D. VU
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600